

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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In re: Bair Hugger Forced Air Warming  
Products Liability Litigation

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MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

*Norton*, 16-cv-0026-JNE-DTS  
*Brunner*, 16-cv-2880-JNE-DTS  
*Wireman et al.*, 16-cv-3293-JNE-DTS  
*Wollam*, 17-cv-0039-JNE-DTS  
*Schilawski*, 17-cv-0352-JNE-DTS  
*Miles et al.*, 17-cv-1235-JNE-DTS  
*Martz*, 17-cv-1528-JNE-DTS  
*Laws*, 17-cv-2518-JNE-DTS  
*Trinder*, 17-cv-2874-JNE-DTS  
*Fletcher*, 17-cv-3262-JNE-DTS  
*Torbeck et al.*, 17-cv-4054-JNE-DTS  
*Davis*, 18-cv-0166-JNE-DTS

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**DECLARATION OF BENJAMIN  
W. HULSE REGARDING  
DEFENDANTS' EIGHTH MOTION  
TO DISMISS FOR FAILURE TO  
COMPLY WITH PRETRIAL  
ORDER NO. 23, AND FED. R.  
CIV. P. 41(b), AND/OR 25(a)**

Under 28 U.S.C. § 1746, I, Benjamin W. Hulse, hereby declare as follows:

1. I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant") (collectively "Defendants") in this litigation. I submit this declaration in support of Defendants' Eighth Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23, and Fed. R. Civ. P. 41(b) and/or 25(a). Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

2. Attached as Exhibit A is a copy of the obituary of plaintiff Danny J. Norton, available online at <https://www.mylife.com/danny-norton/e636319336572>.

3. Attached as Exhibit B is a copy of the obituary of plaintiff Elmer W. Brunner, available online at <https://www.everhere.com/us/obituary-alleyton-wayne-brunner-5725594>.

4. Attached as Exhibit C is a copy of the obituary of plaintiff Bonnie Wireman, available online at <https://www.imesfuneralhome.com/obituaries/Bonnie-Wireman/>.

5. Attached as Exhibit D is a copy of the obituary of plaintiff Kenneth Wollam, available online at <https://www.legacy.com/obituaries/delgazette/obituary.aspx?pid=190201412>.

6. Attached as Exhibit E is a copy of the obituary of plaintiff Stephen Schilawski, available online at <http://www.tributes.com/obituary/show/Stephen-G.-Schilawski-105913564>.

7. Attached as Exhibit F is a copy of the obituary of plaintiff Joseph Miles, available online at <http://www.tributes.com/obituary/show/Joseph-O.-Miles-106685094>.

8. Attached as Exhibit G is a copy of the obituary of plaintiff James D. Martz, available online at <https://www.mchoufuneralhome.com/book-of-memories/3451999/martz-james/obituary.php>.

9. Attached as Exhibit H is a copy of the obituary of plaintiff Larry Laws, available at <http://www.tributes.com/obituary/show/Larry-Laws-105106994>.

10. Attached as Exhibit I is a copy of the obituary of plaintiff Howard Trinder, available at <https://claytonstevensonmemorialchapel.com/obituaries/h-robert-bob-trinder-age-82-of-glasgow/>.

11. Attached as Exhibit J is a copy of the obituary of plaintiff Marvin Torbeck, available at <https://www.legacy.com/obituaries/leaderunion/obituary.aspx?pid=186901752>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 11th day of April, 2019.

Dated: April 11, 2019

Respectfully submitted,

*s/Benjamin W. Hulse*

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